

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

JOSE A. MARBAN, et al.,

Plaintiffs,

v.

**PNC MORTGAGE, a Division of
PNC Bank,**

Defendant.

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Civil Action No. 3:12-CV-3952-M

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing the Findings, Conclusions, and Recommendation of the United States Magistrate Judge for plain error, I am of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court.

Since Plaintiffs have not timely filed an amended complaint as allowed by the recommendation, *PNC Mortgage's Motion to Dismiss Pursuant to Rule 12(b)(6)* (doc. 7), filed November 7, 2012, is **GRANTED**, and all of Plaintiffs' claims against Defendant are **DISMISSED with prejudice**.

SIGNED this 3rd day of July, 2013.



BARBARA M. G. LYNN
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS